

No. 96-6867-CFH

Title: Joseph Roger O'Dell, III, Petitioner

v.

J. D. Netherland, Warden, et al.

CAPITAL CASE

Docketed:

November 27, 1996

Court: United States Court of Appeals for

the Fourth Circuit

Entry Date

Proceedings and Orders

Nov 26 1996 Petition for writ of certiorari and motion for leave to proceed in forma pauperis filed. (Response due December 27, 1996)

Dec 4 1996 Brief of respondent J.D. Netherland, Warden, et al. in opposition filed.

Dec 11 1996 Application (A96-424) for a stay of execution, submitted to The Chief Justice.

Dec 11 1996 Reply brief of petitioner Joseph O'Dell filed.

Dec 12 1996 Supplemental brief of respondent J.D. Netherland, Warden, et al. filed.

Dec 16 1996 Application (A96-424) referred to the Court by the Chief Justice.

Dec 17 1996 Application (A96-424) granted by the Court.

Dec 17 1996 (A96-424) The application for stay of execution of sentence of death presented to the Chief Justice and by him referred to the Court is granted pending the disposition by this Court of the petition for a writ of certiorari. Should the petition for a writ of certiorari be denied, this stay terminates automatically. In the event the petition for a writ of certiorari is granted, this stay shall continue pending the sending down of the judgment of this Court.

Dec 19 1996 Petition GRANTED. Limited to Questions 1 and 2 presented by the petition. The brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, January 30, 1997. The brief of respondents is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, February 27, 1997. A reply brief, if any, may be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Wednesday, March 12, 1997. Rule 29.2 does not apply. Statement by Justice Scalia respecting the grant of certiorari.

SET FOR ARGUMENT March 18, 1997.

Jan 17 1997 Joint appendix filed.

Jan 24 1997 Record filed.

Jan 30 1997 Brief of petitioner Joseph O'Dell filed.

Feb 5 1997 Record filed.

Feb 20 1997 CIRCULATED.

Feb 25 1997 Motion of petitioner for appointment of counsel filed.

Feb 26 1997 DISTRIBUTED. March 14, 1997

Feb 26 1997 Brief of respondents J.D. Netherland, Warden, et al. filed.

Mar 12 1997 Reply brief of petitioner filed.

Mar 17 1997 Motion for appointment of counsel GRANTED and it is ordered that Robert S. Smith, Esquire, of New York, New

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Mar 18 1997

York, is appointed to serve as counsel for the
petitioner in this case.

ARGUED.